

# FAX TRANSMISSION

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APR 09 2005

Total number of pages: 30

**Date:** April 09, 2005

**To:** Assistant Commissioner for Patents  
Washington, DC 20231

**Attn:** • Centralized Fax (703) 872-9306 Attn: Shabid Al-Alam, Art Unit 2172

- File Missing Parts (703) 746-4060
- Board of Patent Appeals (703) 305-0942

**From:** Haim Melman / Inventor

---

**S/N:** 09/398,289

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Haim Zvi Melman

**Examiner:** Shabid Al Alam

**Serial No.:** 09/398,289

**Group Art Unit:** 2172

**Filed:** September 20, 1999

**Fax:**

**Title:** APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF DOCUMENTS

S/N: 09/398,289PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED  
CENTRAL FAX CENTER  
APR 09 2005

Applicant: Haim Zvi Melman Examiner: Shahid Al Alam  
Serial No.: 09/398,289 Group Art Unit: 2172  
Filed: September 20, 1999 Fax:  
Title: APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF DOCUMENTS

---

Date: April 08, 2005  
To: Assistant Commissioner for Patents  
Washington, DC 20231  
Attn: Examiner  
File Missing Parts  
Board of Patent Appeal  
From: Haim Melman / Inventor

Subject:	Missing Documents
----------	-------------------

Dear Sir,

Following the retrieval of USPTO file of Patent Application 09/398,289 and comparing to my own file, quite few documents were noted as missing.

Five documents that are missing from the USPTO file are attached here. Please incorporate them into the USPTO file.

One missing document in Applicant file is a Notification of Non-Compliance With 37 CFR 1.192(c) mailed 03/16/2004.

Following is a detailed reference to these documents:

**List of documents missing from USPTO file:**

1. Date: June 21, 2002  
Title: Change of Correspondence Address – Application  
Summary: A request for correspondence address change
2. Date: March 13, 2003  
Title: Appeal Brief  
Summary: Re-informing Mr. Al-Alam that a brief was faxed to USPTO on February 11, 2003
3. Date: November 23, 2003  
Title: Memorandum  
Summary: Indicating no response from Mr. Al-Alam to the Inventor's communications
4. Date: September 18, 2004  
Title: Memorandum  
Summary: Indicating no response to the Inventor's communications
5. Date: October 30, 2004  
Title: Memorandum  
Summary: Indicating no response to the Inventor's communications

The documents are marked with the above ordinal numbers for convenience and are completed with fax delivery confirmation.

Please add the attached documents to the USPTO file

**Missing Document in Inventor's file:**

1. Date: March 16, 2004  
Title: Notification of Non-Compliance With 37 CFR 1.192(c)  
Summary: Response to Appeal Brief filed on February 11, 2003.

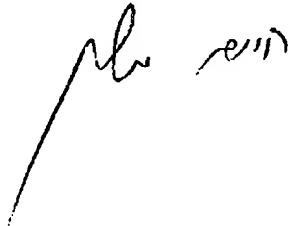
**Inventor's remarks:**

1. The Inventor's Appeal Brief was filed on February 11, 2003
2. On April 1, 2003 the Examiner sent a Notice of Non-Compliance noting mainly that the Appeal Brief does not contain items per 37 CFR 1.192(c).

3. On May 11, 2003 The Inventor responded to the Notice of Non-Compliance  
The response referred mainly to 37 CFR 1.192(c) indication that reply by the inventor pro se does not require the inclusion of items under 37 CFR 1.192(c). Exact reference was provided with this reply.
4. The May 11, 2003 response never received a reply by the Examiner in spite of many status requests (some of them are in USPTO file and some are not and are attached here).
5. On March 16, 2004, 10 months after the Inventor's response to the first Notice of Non-Compliance, the Examiner sent another Notice of Non-Compliance.
  - a. This March 16, 2004 Notice of Non-Compliance is a replica of the April 1, 2003 sent 11 months before.
  - b. The new notice ignores the arguments sent by the Inventor on May 11, 2003 relating to the same points. The May 11, 2003 response arguments, therefore, seems to be valid also for the new Notice of Non-Compliance.
6. If the Appeal Brief is still in any fault, The Inventor would appreciate a reply to the arguments faxed on May 11, 2003, for which the Inventor requested reply in many communications before.

Sincerely,

Haim Melman / Inventor

A handwritten signature in black ink, appearing to read 'Haim Melman', is written over the typed name.

1

PTO/SB/122 (10-01)

Approved for use through 10/31/2002. OMB 0851-0033

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CHANGE OF CORRESPONDENCE ADDRESS Application													
Address to: Assistant Commissioner for Patents Washington, D.C. 20231	<table border="1"><tr><td>Application Number</td><td>09/392,289</td></tr><tr><td>Filing Date</td><td>20 SEP 1999</td></tr><tr><td>First Named Inventor</td><td>HAIM ZVI MELMAN</td></tr><tr><td>Art Unit</td><td>2172</td></tr><tr><td>Examiner Name</td><td>SHAD AL ALAM</td></tr><tr><td>Attorney Docket Number</td><td></td></tr></table>	Application Number	09/392,289	Filing Date	20 SEP 1999	First Named Inventor	HAIM ZVI MELMAN	Art Unit	2172	Examiner Name	SHAD AL ALAM	Attorney Docket Number	
Application Number	09/392,289												
Filing Date	20 SEP 1999												
First Named Inventor	HAIM ZVI MELMAN												
Art Unit	2172												
Examiner Name	SHAD AL ALAM												
Attorney Docket Number													

Please change the Correspondence Address for the above-identified application to:

☐ Customer Number  → Place Customer Number Bar Code Label here

Type Customer Number here

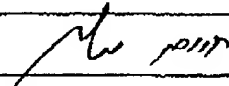
OR

<input checked="" type="checkbox"/> Firm or Individual Name	INFOBIT, LTD., ATTN: HAIM MELMAN				
Address	P.O. BOX 1341				
Address					
City	KEAR-SABA	State	ISRAEL	ZIP	44113
Country					
Telephone	+972 9 745 3376	Fax	+972 9 743 7862		

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

- ☒ Applicant/Inventor.
- ☐ Assignee of record of the entire interest.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☐ Attorney or Agent of record.
- ☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_

Typed or Printed Name	HAIM ZVI MELMAN
Signature	
Date	21 JUNE 2002
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.	
<input type="checkbox"/> Total of _____ forms are submitted.	

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

TIME : 06/21/2002 12:17

DATE, TIME  
FAX NO. /NAME  
DURATION  
PAGE(S)  
RESULT  
MODE

06/21 12:17  
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00:00:30  
01  
OK  
STANDARD  
ECM

## TRANSMISSION VERIFICATION REPORT

TIME : 06/21/2002 12:19

DATE, TIME  
FAX NO. /NAME  
DURATION  
PAGE(S)  
RESULT  
MODE

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01  
OK  
STANDARD  
ECM

(2)

S/N: 09/398,289PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED  
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APR 09 2005

Applicant:	H.Melman	Examiner:	S. Al Alam
Serial No.:	09/398,289	Group Art Unit:	2172
Filed:	20 September 1999	Fax:	(703) 746-7238 (703) 746-7239
Title:	APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF DOCUMENTS		

**APPEAL BRIEF**

Assistant Commissioner for Patents  
Washington, DC 20231

13 March 2003

Dear Sir:

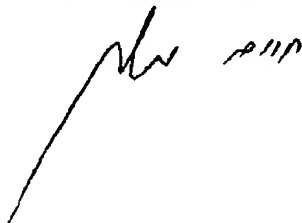
I have just received your letter sent on 10 February 2003.

An Appeal Brief was faxed to you on 11 February 2003.

Unless I am otherwise notified I assume this brief is acceptable for the appeal.

Sincerely,

Haim Melman / Inventor.



## TRANSMISSION VERIFICATION REPORT

TIME : 03/13/2003 10:00

DATE, TIME	03/13 10:00
FAX NO./NAME	01317037467238
DURATION	00:00:22
PAGE(S)	01
RESULT	OK
MODE	STANDARD
	ECM



## TRANSMISSION VERIFICATION REPORT

TIME : 03/13/2003 10:13

DATE, TIME	03/13 10:12
FAX NO./NAME	01317037467239
DURATION	00:00:24
PAGE(S)	01
RESULT	OK
MODE	STANDARD
	ECM



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/398,289	09/20/1999	HAIM ZVI MELMAN		9873

Haim Melman  
3 Hagai St.  
Kfar-Saba, 44335  
ISRAEL

7590 02/10/2003

EXAMINER

ALAM, SHAHID AL

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 02/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

This letter is for your information only. You need to find an attorney who can help you to prepare for an Appellant brief. You may wish to review Chapter 1200 in the USPTO MPEP at <http://www.uspto.gov/web/offices/pac/mpep/documents/1200.htm>.

  
**SHAHID AL-ALAM  
PATENT EXAMINER**

(3)

S/N: 09/398,289PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED  
CENTRAL FAX CENTER

APR 09 2005

Applicant: Haim Zvi Melman      Attention: Kim Y. Vu  
Jean M. Corielus

Serial No.: 09/398,289      Group Art Unit: 2172

Filed: September 20, 1999      Fax: (703) 746-7238  
(703) 746-7239

Title: APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF  
DOCUMENTS

**Memorandum**

Assistant Commissioner for Patents  
Washington, DC 20231

November 23, 2003

Dear Sir or Madam:

This fax is directed to you as I ceased to receive any responses to my communication from Mr. Shahid Al Alam following my filing of an appeal.

Could you please help me in this matter to get the file on track and handled as required.

Allow me please to present the role of events:

9/27/1998	Patent application 126373 filed in the Israeli Patent Office
9/3/1999	I sent a request to file a patent application in USPTO with the Israeli priority date
9/20/1999	Application was filed in the USPTO as 09/398,289
2/17/2000	Following a trip for one year to the USA I assigned the power of attorney to Eitan, Pearl, Latzer & Cohen-Zedek to follow-up on the application while I was away

	from my correspondence address in Israel.
8/28/2001	Office action from Mr. Shahid Al Alam was sent to Eitan, Pearl, Latzer & Cohen-Zedek.
11/23/2001	I was back in Israel and took-over the handling of the application.  I sent a reply was sent to Mr. Shahid Al Alam stating that I handled the reply myself. The reply disclosed, in details, that the statements presented by Mr. Alam from the references had no ground and were not existing in the references. Mr. Alam was requested to allow the claim accordingly.
4/10/2002	A final office action from Mr. Shahid Al Alam was sent to Eitan, Pearl, Latzer & Cohen-Zedek.
6/20/2002	I had an interview with Mr. Alam where he stated, for example, that a claim 1 can not be accepted as it is too broad and is also omnibus.  I could not understand a "too broad" as a basis for rejecting a claim. Also, I could not see that any claim was omnibus. The interview did not provide any insight to the office action.
7/9/2002	A reply to the offices action was faxed to Mr. Alam.  The reply presented in details that Mr. Alam misquoted from the references and presented it in a misleading interpretation enabled by misquoting.  The record of the interview of 6/20/2002 was attached to the reply.  A reference was made to USPTO definition of omnibus to show there was no ground for Mr. Alam to present claim 1 as omnibus.
8/23/2002	Change of Address was filed representing myself for correspondence matters.
10/9/2002	Appeal forms submitted
10/24/2002	Message sent to <u>myself</u> : A notice of Appeal was filed 10/9/2002
2/10/03	Mr. Alam send a notice to <u>myself</u> suggesting to find an attorney to file the Appeal Brief.
2/11/2003	Appeal Brief that I prepared by myself was submitted
4/1/2003	Mr. Alam sent a notification of non-compliance of the Appeal Brief to <u>Eitan, Pearl,</u>

	<u>Latzer &amp; Cohen-Zedek</u> instead of myself
5/11/03	I sent a fax to Mr. Alam indicating to him the lost of time due to sending the non-compliance to the wrong address.  I also indicated to Mr. Alam that representing myself releases me from the requirement to comply with <u>37 CFR 1.192(c)</u>  ( <a href="http://www.uspto.gov/web/offices/pac/mpep/documents/1200_1206.htm#sect1206">http://www.uspto.gov/web/offices/pac/mpep/documents/1200_1206.htm#sect1206</a> )
6/5/2003	A letter was sent from Welsh & Flaxman LLC presenting that Mr. Alam contacted them as being listed as attorney of record in the file (which they did not understand). They wrote me that Mr. Alam
6/16/2003	I wrote Mr. Alam a fax including a Revocation of Power of Attorney form to resolve the new communication halt.
7/29/2003	I faxed a memo to Mr. Alam requesting for response to my 6/16/2003 fax and file status statement.
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11/23/2003	As of today I received no response.

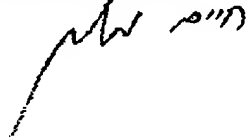
May I mention also that another patent application 09/492,863 examined by Mr. Alam was removed by a Notice of Abandonment mailed 25 September 2002 indicating that applicant failed to reply to the office action mailed on 31 January 2002.

I proved that I faxed a reply on time: 3 April 2002. I sent the reply to two fax numbers 703-746-7239 and 703-308-6606 and the abandonment was canceled. Mrs. Lesley Wong found the faxes in place on USPTO computers at now time. Yet, none of the replies arrived at Mr. Alam's desk enabling an abandonment notice.

My fax number and email address is provided here to enable fast and simple way to deliver any information: +972-9-7679699, [haim@infobit.com](mailto:haim@infobit.com).

Sincerely,

Haim Melman / Inventor.



01311(703)746-7238	3 Pages	USPTO			No response to communications 09/398	23:34:07	2003-11-23	00:02:21	Ok
01311(703)746-7238	3 Pages	USPTO			No response to communication 09/398	23:29:27	2003-11-23	00:02:35	Ok
									3 Pages
									2 Pages

(4)

S/N: 09/398,289PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Haim Zvi Melman	Attention:	John Breene Peggy Focarino
Serial No.:	09/398,289	Group Art Unit:	2172
Filed:	September 20, 1999	Email:	John.breene@uspto.gov Margaret.focarino@uspto.gov
Title:	APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF DOCUMENTS		

**Memorandum**

Assistant Commissioner for Patents  
Washington, DC 20231

September 18, 2004

Dear Madam and Sir:

This letter is directed to you as I failed to receive responses from the examiner Mr. Shahid Al Alam after a long process of unacceptable handling of the patent application (as perceived on my side), including preventing from an appeal to arrive to the appeal committee.

The role of events that has been sent by fax on November 23, 2003, and for which I received no response, is attached here.

May I request your intervention in this file and your help for appropriate handling from stage one.

Sincerely,

Haim Melman,

Inventor.



S/N: 09/398,289PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Haim Zvi Melman      Attention: Kim Y. Vu  
Jean M. Cortielus

Serial No.: 09/398,289      Group Art Unit: 2172

Filed: September 20, 1999      Fax: (703) 746-7238  
(703) 746-7239

Title: APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF  
DOCUMENTS

**Memorandum**

Assistant Commissioner for Patents  
Washington, DC 20231

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11/23/2001	<p>I was back in Israel and took-over the handling of the application.</p> <p>I sent a reply was sent to Mr. Shahid Al Alam stating that I handled the reply myself. The reply disclosed, in details, that the statements presented by Mr. Alam from the references had no ground and were not existing in the references. Mr. Alam was requested to allow the claim accordingly.</p>
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8/23/2002	Change of Address was filed representing myself for correspondence matters.
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6/16/2003	I wrote Mr. Alam a fax including a Revocation of Power of Attorney form to resolve the new communication halt.
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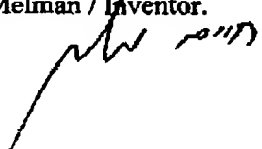
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My fax number and email address is provided here to enable fast and simple way to deliver any information: +972-9-7679699, [haim@infobit.com](mailto:haim@infobit.com).

Sincerely,

Haim Melman / Inventor.



Page 1 of 1

**Haim Melman**

---

**From:** Haim Melman [haim@infobit.com]  
**Sent:** 18:51 2004 שבת 18 ספטמבר  
**To:** john.breene@uspto.gov  
**Cc:** margaret.focarino@uspto.gov  
**Subject:** Patent Application 09/398,289 - Handling problems

**Tracking:** Recipient                      Read  
john.breene@uspto.gov  
margaret.focarino@uspto.gov Read: 2004-09-20 13:46

Dear Madam and Sir:

This letter is directed to you as I failed to receive responses from the examiner Mr. Shahid Al Alam after a long process of unacceptable handling of the patent application (as perceived on my side), including preventing from an appeal to arrive to the appeal committee.

The role of events that has been sent by fax on November 23, 2003, and for which I received no response, is attached here.

May I request your intervention in this file and your help for appropriate handling from stage one.

Sincerely,

Haim Melman,

Inventor.

2004-09-20

**Haim Melman**

---

**From:** Focarino, Margaret (Margaret.Focarino@USPTO.GOV)  
**To:** Haim Melman  
**Sent:** יום שני 20 ספטמבר 2004 13:48  
**Subject:** Read: Patent Application 09/398,289 - Handling problems

**Your message**

**To:** Breene, John  
**Cc:** Focarino, Margaret  
**Subject:** Patent Application 09/398,289 - Handling problems  
**Sent:** Sat, 18 Sep 2004 12:50:45 -0400

was read on Mon, 20 Sep 2004 07:46:28 -0400

30 oct 2004

(5)

## FAX TRANSMITAL

S/N: 09/398,289

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Haim Zvi Melman

Attention: John Breene

Group Art Unit 2167 (517)272-0800

Margaret Focarino

Technology Center 2100 (517)272-4107

Serial No.: 09/398,289

Group Art  
Unit:

Filed: September 20, 1999

To:

Fax: (703) 872-9306

Title: APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF  
DOCUMENTS

This fax contains 7 pages + this cover page.

FAXED AGAIN OCTOBER 30, 2004

sent also by email.

**S/N: 09/398,289****PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED  
CENTRAL FAX CENTER

APR 09 2005

**Applicant:** Haim Zvi Melman**Attention:** John Breene

Margaret Focarino

**Serial No.:** 09/398,289**Group Art  
Unit:****Filed:** September 20, 1999**To:** John.breene@uspto.gov

Margaret.focarino@uspto.gov

Fax: (703) 872-9306

**Title:** APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF  
DOCUMENTS**Memorandum**Assistant Commissioner for Patents  
Washington, DC 20231

October 30, 2004

Dear Madam and Sir:

On September 18, 2004 I emailed to you the attached email and documents (letter of September 18, 2004 and letter of November 23, 2003).

As of today I received no response to this email.

Please advice on the status of this matter.

May I briefly present my complaint regarding the handling this patent application:

1. First office action indicated prior art paragraphs that provided no support whatsoever to examiners rejections. So it was presented to the examiner in my reply.
2. The second office action included clearly misleading out-of-context quotes from the same prior art reference. This was presented to the examiner in the reply.

3. Since then it seems I face any possible method to exhaust my resources and create a situation of abandonment.
4. This seems to reflect also in patent application 09/492,863 handled by the same examiner, where in spite of replying on time to first office action to 2 USPTO fax numbers, the examiner responded with abandonment due to no reply (my reply was easily found in the USPTO and the application was revived).

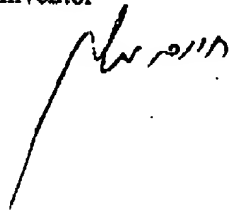
My situation with these applications with this specific examiner is extremely unusual.

I would greatly appreciate your involvement in this matter.

Sincerely,

Haim Melman,

Inventor





Page 1 of 1

**Haim Melman**

---

**From:** Haim Melman [haim@infobit.com]  
**Sent:** 18:51 2004 ספטמבר 18 שבת  
**To:** john.breene@uspto.gov  
**Cc:** margaret.focarino@uspto.gov  
**Subject:** Patent Application 09/398,289 - Handling problems

**Tracking: Recipient**                      **Read**  
john.breene@uspto.gov                      Read: 2004-09-21 17:50  
margaret.focarino@uspto.gov                      Read: 2004-09-20 13:46

Dear Madam and Sir:

This letter is directed to you as I failed to receive responses from the examiner Mr. Shahid Al Alam after a long process of unacceptable handling of the patent application (as perceived on my side), including preventing from an appeal to arrive to the appeal committee.

The role of events that has been sent by fax on November 23, 2003, and for which I received no response, is attached here.

May I request your intervention in this file and your help for appropriate handling from stage one.

Sincerely,

Haim Melman,

Inventor.

2004-10-30

S/N: 09/398,289PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Haim Zvi Melman	Attention:	John Breene Peggy Focarino
Serial No.:	09/398,289	Group Art Unit:	2172
Filed:	September 20, 1999	Email:	John.breene@uspto.gov Margaret.focarino@uspto.gov
Title:	APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF DOCUMENTS		

**Memorandum**

Assistant Commissioner for Patents  
Washington, DC 20231

September 18, 2004

Dear Madam and Sir:

This letter is directed to you as I failed to receive responses from the examiner Mr. Shahid Al Alam after a long process of unacceptable handling of the patent application (as perceived on my side), including preventing from an appeal to arrive to the appeal committee.

The role of events that has been sent by fax on November 23, 2003, and for which I received no response, is attached here.

May I request your intervention in this file and your help for appropriate handling from stage one.

Sincerely,

Haim Melman,

Inventor.

S/N: 09/398,289PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Haim Zvi Melman      Attention: Kim Y. Vu  
Jean M. Corrielus

Serial No.: 09/398,289      Group Art Unit: 2172

Filed: September 20, 1999      Fax: (703) 746-7238  
(703) 746-7239

Title: APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF  
DOCUMENTS

**Memorandum**

Assistant Commissioner for Patents  
Washington, DC 20231

November 23, 2003

Dear Sir or Madam:

This fax is directed to you as I ceased to receive any responses to my communication from Mr. Shahid Al Alam following my filing of an appeal.

Could you please help me in this matter to get the file on track and handled as required.

Allow me please to present the role of events:

9/27/1998	Patent application 126373 filed in the Israeli Patent Office
9/3/1999	I sent a request to file a patent application in USPTO with the Israeli priority date
9/20/1999	Application was filed in the USPTO as 09/398,289
2/17/2000	Following a trip for one year to the USA I assigned the power of attorney to Eitan,

	Pearl, Latzer & Cohen-Zedek to follow-up on the application while I was away from my correspondence address in Israel.
8/28/2001	Office action from Mr. Shahid Al Alam was sent to Eitan, Pearl, Latzer & Cohen-Zedek.
11/23/2001	I was back in Israel and took-over the handling of the application.  I sent a reply was sent to Mr. Shahid Al Alam stating that I handled the reply myself. The reply disclosed, in details, that the statements presented by Mr. Alam from the references had no ground and were not existing in the references. Mr. Alam was requested to allow the claim accordingly.
4/10/2002	A final office action from Mr. Shahid Al Alam was sent to Eitan, Pearl, Latzer & Cohen-Zedek.
6/20/2002	I had an interview with Mr. Alam where he stated, for example, that a claim 1 can not be accepted as it is too broad and is also omnibus.  I could not understand a "too broad" as a basis for rejecting a claim. Also, I could not see that any claim was omnibus. The interview did not provide any insight to the office action.
7/9/2002	A reply to the offices action was faxed to Mr. Alam.  The reply presented in details that Mr. Alam misquoted from the references and presented it in a misleading interpretation enabled by misquoting.  The record of the interview of 6/20/2002 was attached to the reply.  A reference was made to USPTO definition of omnibus to show there was no ground for Mr. Alam to present claim 1 as omnibus.
8/23/2002	Change of Address was filed representing myself for correspondence matters.
10/9/2002	Appeal forms submitted
10/24/2002	Message sent to <u>myself</u> : A notice of Appeal was filed 10/9/2002
2/10/03	Mr. Alam send a notice to <u>myself</u> suggesting to find an attorney to file the Appeal Brief.
2/11/2003	Appeal Brief that I prepared by myself was submitted

4/1/2003	Mr. Alam sent a notification of non-compliance of the Appeal Brief to <u>Eitan, Pearl, Latzer &amp; Cohen-Zedek</u> instead of myself.
5/11/03	I sent a fax to Mr. Alam indicating to him the lost of time due to sending the non-compliance to the wrong address.  I also indicated to Mr. Alam that representing myself releases me from the requirement to comply with <u>37 CFR 1.192(c)</u>  ( <a href="http://www.uspto.gov/web/offices/pac/mpep/documents/1200_1206.htm#sec11206">http://www.uspto.gov/web/offices/pac/mpep/documents/1200_1206.htm#sec11206</a> )
6/5/2003	A letter was sent from Welsh & Flaxman LLC presenting that Mr. Alam contacted them as being listed as attorney of record in the file (which they did not understand). They wrote me that Mr. Alam
6/16/2003	I wrote Mr. Alam a fax including a Revocation of Power of Attorney form to resolve the new communication halt.
7/29/2003	I faxed a memo to Mr. Alam requesting for response to my 6/16/2003 fax and file status statement.
9/28/2003	I faxed a second memo.
11/23/2003	As of today I received no response.

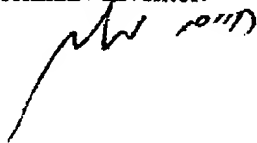
May I mention also that another patent application 09/492,863 examined by Mr. Alam was removed by a Notice of Abandonment mailed 25 September 2002 indicating that applicant failed to reply to the office action mailed on 31 January 2002.

I proved that I faxed a reply on time: 3 April 2002. I sent the reply to two fax numbers 703-746-7239 and 703-308-6606 and the abandonment was canceled. Mrs. Lesley Wong found the faxes in place on USPTO computers at now time. Yet, none of the replies arrived at Mr. Alam's desk enabling an abandonment notice.

My fax number and email address is provided here to enable fast and simple way to deliver any information: +972-9-7679699, [haim@infobit.com](mailto:haim@infobit.com).

Sincerely,

Haim Melman / Inventor.



## TRANSMISSION VERIFICATION REPORT

TIME : 10/30/2004 14:35

DATE, TIME  
FAX NO./NAME  
DURATION  
PAGE(S)  
RESULT  
MODE

10/30 14:34  
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